Electronically FILED by Superior Court of California, County of Los Angeles on 09/09/2022 #3:12 M Sherri R. Carter, Executive Officer/Clerk of Court, by P. Perez, Deputy Clerk

### SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

AIRPORT TERMINAL SERVICES, INC., a California Corporation; and DOES 1 through 100, inclusive,

YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

ULISES CLEMENTE RAMIREZ, an Individual,

FOR COURT USE ONLY (SOLO PARA USO DE LA CORTE)

Page 1 of 19 Page ID

**SUM-100** 

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Torrance Courthouse

825 Maple Avenue, Torrance, CA 90503

(Número del Caso): 22TRCV00780

CASE NUMBER

The name, address, and telephone number of plaintiffs attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

John F. Litwin Barkhordarian Firm, 6047 Bristol Pwky, 2nd Floor, Culver City, CA 90230, Tel 323.450.2777

Sherri R. Carter Executive Officer / Clerk of Court

DATE:
(Fecha)

Clerk, by
(Secretario)

P. Perez
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citatión use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

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1. 2.			ndividual defend person sued un	dant. der the fictitious na	ame of (sp	oecify)	:		
3.			• • • • • • • • • • • • • • • • • • • •	AIRPORT TERM	MINAL SE	ERVIC			ation
	unde	r. 🔼	CCP 416.10 (	corporation)	1		CCP 416.60 (m	inor)	
			CCP 416.20 (	defunct corporation	n) İ		CCP 416.70 (cd	onservatee)	
			CCP 416.40 (	association or part	nership)		CCP 416.90 (ar	uthorized person)	

other (specify):

by personal delivery on (date):

Page 1 of 1

# Case 2:22-cv-07552-ODW-JC Document 1-1 Filed 10/17/22 Page 2 of 19 Page ID

22TRCV00780

Assigned for all purposes to: Torrance Courthouse, Judicial Officer: Gary Tanaka Electronically FILED by Superior Court of California, County of Los Angeles on 09/09/2022 03:11 PM Sherri R. Carter, Executive Officer/Clerk of Court, by P. Perez, Deputy Clerk 1 GREGORY P. WONG (SBN: 204502) JOHN F. LITWIN (SBN: 301611) 2 BARKHORDARIAN LAW FIRM, PLC 6047 Bristol Parkway, Second Floor Culver City, CA 90230 3 Telephone: (323) 450-2777 Facsimile: (310) 215-3416 4 Email: John@barklawfirm.com 5 **Attorneys for Plaintiff** Ulises Clemente Ramirez 6 7 8 SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 COUNTY OF LOS ANGELES - SOUTHWEST DISTRICT 10 11 22TRCV00780 ULISES CLEMENTE RAMIREZ, an CASE NO.: Individual, 12 **COMPLAINT FOR:** 13 Plaintiff, 1. Wrongful Termination in Violation of Public Policy: and 14 vs. **AIRPORT** 15 TERMINAL SERVICES. 2. Retaliation in Violation of Labor Code 6300 INC., a California Corporation; and DOES 1 through 100, inclusive, 16 Defendants. UNLIMITED CIVIL 17 **DEMAND FOR JURY TRIAL** 18 19 20 21 22 23 24 25 26 27 28 COMPLAINT

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Plaintiff Ulises Clemente Ramirez (hereinafter "Plaintiff" or "Ramirez") alleges, and states as follows:

#### **PARTIES**

- Plaintiff ULISES CLEMENTE RAMIREZ, at all times relevant herein, was, and 1. is, an individual residing in the City of Inglewood, County of Los Angeles, State of California.
- Defendant AIRPORT TERMINAL SERVICES, INC., ("ATS") is a Missouri 2. Corporation doing business in Los Angeles, California. Plaintiff is informed and believes, and thereon alleges, that ATS regularly employed five or more persons at all relevant times to this action.
- 3. Plaintiff is ignorant of the true names and capacities, whether individual, corporate, associate or otherwise, of the Defendants sued herein under fictitious names Does 1 through 100, inclusive, and for that reason sues said Defendants, and each of them, by such fictitious names. Plaintiff is informed, believes, and thereupon alleges that each of the Defendants Does 1 through 100, inclusive, is and was in some manner responsible for, participated in, or contributed to the matters and things of which Plaintiff complains herein, and in some fashion, has legal responsibility, therefore. When Plaintiff ascertains the names and capacities of the fictitiously named Defendants Does 1 through 100, inclusive, Plaintiff will seek leave to amend this Complaint to set forth such facts.
- Plaintiff is informed, believes, and there upon alleges that each Defendants is, and at all times relevant herein was, the agent of his, her, or its co-Defendants, and in committing the acts alleged herein, was acting within the scope of his, her, or its authority as such agent, and with the knowledge, permission, and consent of his, her, or its co-Defendants.

#### JURISDICTION AND VENUE

- 5. This Court has jurisdiction over this action and the matters alleged herein pursuant to the grant of original jurisdiction set forth in Article VI, Section 10 of the California Constitution. The statutes under which this action are brought do not specify any other basis for jurisdiction.
  - This Court has jurisdiction over Defendant because, upon information and belief, 6.

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each Defendant is either a citizen of California, has sufficient minimum contracts in California, or otherwise intentionally avails itself of the California market so as to render the exercise of jurisdiction over it by this Court consistent with traditional notions of fair play and substantial justice.

- 7. Venue is proper in this Court, because, upon information and belief, one or more of the named Defendants resides, transacts business, or has offices in this county and the acts or omissions alleged herein took place in this county.
  - 8. Plaintiff hereby demands a trial by jury.

#### FACTS COMMON TO ALL CAUSES OF ACTION

- 9. Defendant ATS is a nation-wide aviation service provider.
- 10. Plaintiff Ulises Clemente Ramirez was hired by ATS sometime in December 2021 as a ramp supervisor. Some of Plaintiff's duties included enforcing airport rules and regulations, maintaining, and enforcing standard operating procedures, and following, implementing, and reporting company policies and rules.
- 11. On or about January 21, 2022, Plaintiff noticed that none of the employees and/or crew members were not properly displaying their SIDA "Security Identifying Display Area" badges (airport badge) which is required by the airport, and it is Defendant's policy to display such badges. Plaintiff verbally notified safety manager named "George Portillo-Guzman" that he needed the crew to properly display their badges per the rules and safety regulations of the company and the airport, but George was not concerned.
- 12. On the same day, Plaintiff notified Defendants Ramp Manager named "Miriam Ramos", but she advised Plaintiff that the employees keep their badges in their pocket to avoid dropping them in the plane. Ms. Ramos responded to Plaintiff "Not to worry about it" and said to focus on training by the crew chief. Plaintiff then requested to the crew chief to properly train Plaintiff, but he was dismissed.
- 13. On or about January 24, 2022, Plaintiff submitted a written complaint to Defendants Regional Safety Manager Jorge Vences and Defendants Operations Manager Jim Bourbonnais about the safety concerns Plaintiff had. Plaintiff notified Mr. Vences and Mr.

Bourbonnais about the crew members not properly displaying their SIDA badge and how Plainti	f
has not been properly trained to safely fulfill his new position as ramp supervisor.	

- 14. Mr. Bourbonnais responded to Plaintiff's complaints via email and stated that their investigation begins immediately, and he appreciated and supported Plaintiff's concerns regarding safety and training which is Defendant's "top priority."
- 15. After plaintiff submitted multiple complaints to Defendants and its agents, other employees began to file complaints against Plaintiff.
  - 16. On or about February 23, 2022, plaintiff was terminated by Defendants.

#### FIRST CAUSE OF ACTION

#### (Wrongful Termination In Violation of Public Policy - Plaintiff against All Defendants)

- 17. Plaintiff refers to and incorporates herein by reference the above paragraphs as though fully set forth herein.
- T8. At all relevant times, California Labor Code §§ 6310 and 1102.5; and California Civil Code § 52.1; and 29 U.S.C. § 654 (1994) were in full force and effect and binding on Defendants in effect and was binding on Defendants. These statutes prohibit Defendants from retaliating against any employee, including Plaintiff, for raising complaints of illegality, unsafe working conditions, and/or threats of workplace violence.
- 19. The acts and/or omissions of Defendants taken as a whole, materially, and adversely affected the terms and conditions of Plaintiff's employment.
- 20. On or around February 23, 2022, Plaintiff's employment with Defendants was terminated.
- 21. The termination of Plaintiff's employment was in retaliation for Plaintiff's complaints made against an unsafe working condition and/or threats of workplace violence.
- 22. As a proximate result of Defendants' willful, knowing, and intentional retaliation, Plaintiff has sustained and continues to sustain substantial losses of earnings and other employment benefits.

#### SECOND CAUSE OF ACTION

(Retaliation - Plaintiff against All Defendants)

- 23. Plaintiff refers to and incorporates herein by reference the above paragraphs as though fully set forth herein.
- 24. At all times mentioned herein, Pursuant to California Labor Code 6310, "no person shall discharge or in any manner discriminate against any employee because the employee has done any of the following: (1) made any oral or written complaint to the division, other governmental agencies having statutory responsibility for or assisting the division with reference to employee safety or health, his or her employer, or his or her representative." These statutes require Defendants to refrain from retaliating against any employee as a result of the employee's oral complaint about an unsafe working condition and/or complaint of threats of workplace violence.
- 25. California Labor Code §§ 6310 and 1102.5; and California Civil Code § 52.1; and 29 U.S.C. § 654 (1994) were in full force and effect and binding on Defendants.
  - 26. At all times relevant, Plaintiff was an employee of Defendants.
- 27. Plaintiff's good-faith complaints to Defendants about an unsafe working condition were motivating factors in Defendants' decision to terminate Plaintiff.
- 28. Plaintiff's good-faith complaints to Defendants about threats of workplace violence were motivating factors in Defendants' decision to terminate Plaintiff.
- 29. As a proximate result of Defendants' willful, knowing, and intentional retaliation against Plaintiff, Plaintiff has sustained and continues to sustain substantial losses of earnings and other employment benefits.
- 30. As a proximate result of Defendants' willful, knowing, and intentional unlawful actions against Plaintiff, Plaintiff has suffered and continues to suffer humiliation, emotional distress, physical pain and mental pain and anguish, all to his damage in a sum according to proof.
- Plaintiff has incurred and continues to incur legal expenses and attorney's fees. Pursuant to Government Code section 12965(b), Plaintiff is entitled to recover reasonable attorney's fees and costs (including expert costs) in an amount according to proof.
- 32. Defendants' retaliation against Plaintiff was done intentionally, so as to cause injury to Plaintiff. Further, Defendants' conduct was despicable in that it was carried on by

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Defendants with a willful and conscious disregard of the rights or safety of others, thereby constituting malice as defined by *Civil Code* section 3294.

- 33. Defendants' retaliation against Plaintiff was despicable, and subjected Plaintiff to cruel and unjust hardship, as herein alleged, in conscious disregard of Plaintiff's rights, thereby constituting oppression as defined by *Civil Code* section 3294.
- 34. Defendants' retaliation against Plaintiff was fraudulent in that Defendants intentionally misrepresented their reason for Plaintiff's termination by claiming that Plaintiff was being terminated to due to his actions that day. Said misrepresentation was made by Defendants in order to deprive Plaintiff of legal rights or otherwise cause him injury. Plaintiff believes and alleges that he was terminated due to his possession of a disability as well as his good faith complaints. Defendants' misrepresentation of their reason for Plaintiff's employment thereby constitutes fraud as defined by *Civil Code* section 3294.
- 35. Defendants have acted in a malicious, oppressive, and fraudulent manner in their retaliation against Plaintiff for engaging in protected activity, entitling Plaintiff to punitive damages.

#### **PRAYER FOR DAMAGES**

WHEREFORE, Plaintiff prays for judgment against Defendants, and DOES 1 through 100, inclusive, and each of them, jointly and severally, as follows:

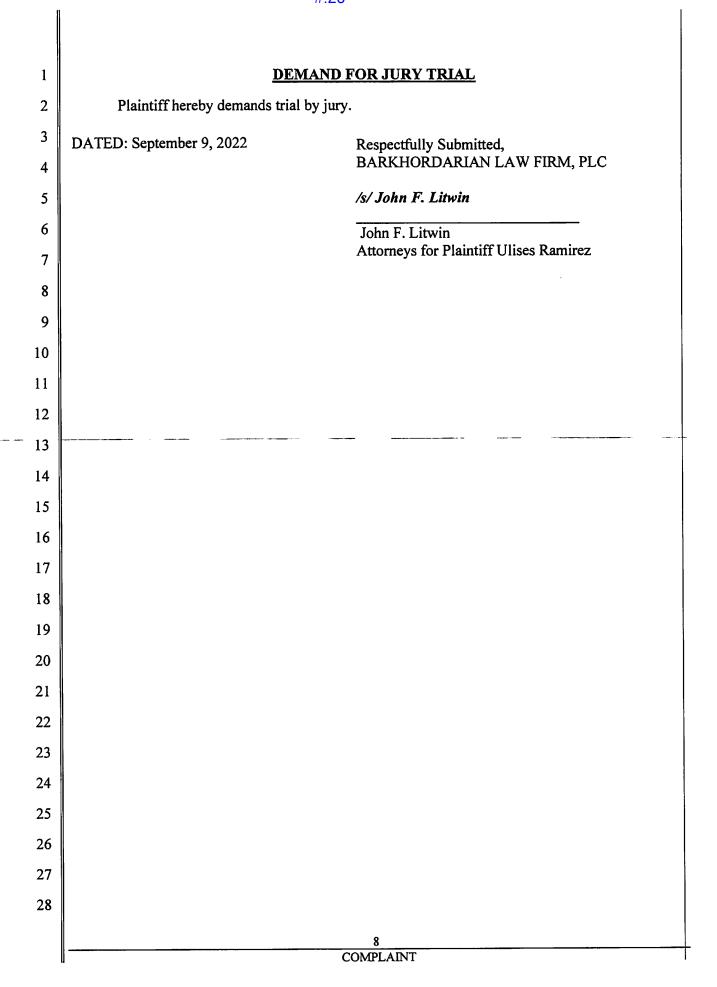
# ON THE FIRST CAUSE OF ACTION (WRONGFUL TERMINATION)

- 1. For lost wages and benefits and other monetary relief in an amount to be determined at trial;
- 2. For compensatory damages in an amount to be determined at trial;
- 3. For general and special damages as may be appropriate but, in an amount, exceeding \$250,000;
- 4. For punitive damages in an amount to be determined at trial; and
- 5. For attorney's fees.

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ON THE SECOND CAUSE OF ACTION 1 2 (RETALIATION) 3 1. That the Court declare, adjudge, and decree that Defendants violated California Labor Code section 6310; 4 2. For penalties and special damages as may be appropriate but, in an amount, 5 exceeding \$250,000; 6 3. For pre-judgment interest on any unpaid compensation commencing from the date 7 such amounts were due until paid in full; and 8 9 4. For reasonable attorneys' fees and costs of suit incurred herein. 10 AS TO ALL CAUSES OF ACTION: For an award of reasonable attorneys' fees, costs, expert costs, and expenses 11 1. pursuant to statutory and common law; and 12 For such other and further relief as this Court may deem just, fair, and proper. 2. **T3** 14 DATED: September 9, 2022 Respectfully Submitted, BARKHORDARIAN LAW FIRM, PLC 15 /s/ John F. Litwin 16 17 John F. Litwin Attorneys for Plaintiff Ulises Ramirez 18 19 20 21 22 23 24 25 26 27 28

**COMPLAINT** 



Case 2:22-cv-07552-ODW-JC Filed 10/17/22 Page 10 of 19 Page ID Document 1-1 02-11 PM Sherri R. Carter, Executive Officer/Clerk of Court, by P. Perez,Deputy Clerk Electronically FILED by Superior Court of California, County of Los Angeles on 09/09/2021 ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): "John F. Litwin (SBN: 301611) FOR COURT USE ONLY Barkhordarian Law Firm 6047 Bristol Parkway, Second Floor Culver City, CA 90230 TELEPHONE NO.: (323) 450-2777 FAX NO.: ATTORNEY FOR (Name): Plaintiff, Ulises Clemente Ramirez SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 825 Maple Avenue MAILING ADDRESS: Same as above CITY AND ZIP CODE: Torrance CA, 90503 BRANCH NAME: Torrance Courthouse CASE NAME: Ulises Clemente Ramirez v Airport Terminal Services, Inc., et al CASE NUMBER: CIVIL CASE COVER SHEET **Complex Case Designation** 22TRCV00780 ✓ Unlimited Limited Counter Joinder (Amount (Amount demanded is Filed with first appearance by defendant demanded exceeds \$25,000) \$25,000 or less) (Cal. Rules of Court, rule 3.402) Items 1-6 below must be completed (see instructions on page 2). 1. Check one box below for the case type that best describes this case: **Contract Provisionally Complex Civil Litigation Auto Tort** (Cal. Rules of Court, rules 3.400-3.403) Breach of contract/warranty (06) Auto (22) Antitrust/Trade regulation (03) Rule 3.740 collections (09) Uninsured motorist (46) Construction defect (10) Other PI/PD/WD (Personal Injury/Property Other collections (09) Damage/Wrongful Death) Tort Mass tort (40) Insurance coverage (18) Asbestos (04) Securities litigation (28) Other contract (37) Product liability (24) Environmental/Toxic tort (30) **Real Property** Medical malpractice (45) Eminent domain/Inverse Insurance coverage claims arising from the condemnation (14) above listed provisionally complex case Other PI/PD/WD (23) types (41) Wrongful eviction (33) Non-PI/PD/WD (Other) Tort **Enforcement of Judgment** Other real property (26) Business tort/unfair business practice (07) Enforcement of judgment (20) **Unlawful Detainer** Civil rights (08) Commercial (31) Miscellaneous Civil Complaint Defamation (13) Residential (32) **RICO (27)** Fraud (16) Drugs (38) Intellectual property (19) Other complaint (not specified above) (42) Judicial Review Professional negligence (25) Miscellaneous Civil Petition Asset forfeiture (05) Other non-PI/PD/WD tort (35) Partnership and corporate governance (21) Petition re: arbitration award (11) **Employment** Other petition (not specified above) (43) ✓ Wrongful termination (36) Writ of mandate (02) Other employment (15) Other judicial review (39) complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the lis Is not factors requiring exceptional judicial management: Large number of witnesses Large number of separately represented parties Extensive motion practice raising difficult or novel Coordination with related actions pending in one or more courts issues that will be time-consuming to resolve in other counties, states, or countries, or in a federal court Substantial amount of documentary evidence Substantial postjudgment judicial supervision c. upunitive b. nonmonetary; declaratory or injunctive relief 3. Remedies sought (check all that apply): a. monetary 4. Number of causes of action (specify): Two (2) 5. This case L is is not a class action suit. 6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: September 9, 2022 /s/ John F. Litwin

(TYPE OR PRINT NAME)

#### (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

#### NOTICE

 Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result

File this cover sheet in addition to any cover sheet required by local court rule.

• If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.

Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

 Page 1 of 2
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John F. Litwin

CM-010

#### INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1. check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiffs designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

#### **Auto Tort**

Auto (22)-Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

Other PI/PD/WD (Personal Injury/ Property Damage/Wrongful Death)

Asbestos (04)

Asbestos Property Damage Asbestos Personal Injury/ Wrongful Death

Product Liability (not asbestos or toxic/environmental) (24)

Medical Malpractice (45)

Medical Malpractice-

Physicians & Surgeons

Other Professional Health Care Malpractice

Other PI/PD/WD (23)

Premises Liability (e.g., slip

and fall)

Intentional Bodily Injury/PDWD (e.g., assault, vandalism)

Intentional Infliction of

**Emotional Distress** 

**Negligent Infliction of** 

**Emotional Distress** 

Other PI/PD/WD

#### Non-PI/PD/WD (Other) Tort

**Business Tort/Unfair Business** 

Practice (07)

Civil Rights (e.g., discrimination,

false arrest) (not civil

harassment) (08)

Defamation (e.g., slander, libel)

Fraud (16)

Intellectual Property (19)

Professional Negligence (25)

Legal Malpractice

Other Professional Malpractice (not medical or legal)

Other Non-PI/PD/WD Tort (35)

**Employment** 

Wrongful Termination (36)

Other Employment (15)

#### **CASE TYPES AND EXAMPLES**

#### Contract

Breach of Contract/Warranty (06)

Breach of Rental/Lease

Contract (not unlawful detainer or wrongful eviction)

Contract/Warranty Breach-Seller

Plaintiff (not fraud or negligence) Negligent Breach of Contract/

Warranty

Other Breach of Contract/Warranty

Collections (e.g., money owed, open

book accounts) (09)

Collection Case-Seller Plaintiff

Other Promissory Note/Collections

Insurance Coverage (not provisionally

complex) (18)

Auto Subrogation Other Coverage

Other Contract (37) Contractual Fraud

Other Contract Dispute

#### **Real Property**

**Eminent Domain/Inverse** Condemnation (14)

Wrongful Eviction (33)

Other Real Property (e.g., quiet title) (26) Writ of Possession of Real Property

Mortgage Foreclosure

**Quiet Title** 

Other Real Property (not eminent

domain, landlord/tenant, or

foreclosure)

#### **Unlawful Detainer**

Commercial (31)

Residential (32)

Drugs (38) (if the case involves illegal

drugs, check this item; otherwise,

report as Commercial or Residential)

### **Judicial Review**

Asset Forfeiture (05)

Petition Re: Arbitration Award (11)

Writ of Mandate (02)
Writ–Administrative Mandamus

Writ-Mandamus on Limited Court

Case Matter

Writ-Other Limited Court Case

Review

Other Judicial Review (39)
Review of Health Officer Order

Notice of Appeal-Labor

Commissioner Appeals

#### Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)

Claims Involving Mass Tort (40)

Securities Litigation (28) Environmental/Toxic Tort (30)

Insurance Coverage Claims

(arising from provisionally complex

case type listed above) (41)

#### **Enforcement of Judgment**

Enforcement of Judgment (20)

Abstract of Judgment (Out of

Confession of Judgment (non-

domestic relations)

Sister State Judgment

Administrative Agency Award

(not unpaid taxes)

Petition/Certification of Entry of

Judgment on Unpaid Taxes

Other Enforcement of Judgment Case

#### **Miscellaneous Civil Complaint**

**RICO (27)** 

Other Complaint (not specified above) (42)

Declaratory Relief Only Injunctive Relief Only (non-

harassment)

Mechanics Lien

Other Commercial Complaint

Case (non-tort/non-complex)

Other Civil Complaint

#### (non-tort/non-complex) **Miscellaneous Civil Petition**

Partnership and Corporate

Governance (21)

Other Petition (not specified

above) (43) Civil Harassment

Workplace Violence

Elder/Dependent Adult

Abuse

**Election Contest** 

Petition for Name Change Petition for Relief From Late

Claim

Other Civil Petition

SHORT TITLE: CASE NUMBER 22TRCV00780

# CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION (CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

- **Step 1:** After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.
- **Step 2:** In Column B, check the box for the type of action that best describes the nature of the case.
- **Step 3:** In Column C, circle the number which explains the reason for the court filing location you have chosen.

#### Applicable Reasons for Choosing Court Filing Location (Column C)

- 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
- 2. Permissive filing in central district.
- 3. Location where cause of action arose.
- 4. Mandatory personal injury filing in North District.
- 5. Location where performance required or defendant resides.
- 6. Location of property or permanently garaged vehicle.

- 7. Location where petitioner resides.
- 8. Location wherein defendant/respondent functions wholly.
- 9. Location where one or more of the parties reside.
- 10. Location of Labor Commissioner Office.
- 11. Mandatory filing location (Hub Cases unlawful detainer, limited non-collection, limited collection, or personal injury).

A Civil Case Cover Sheet Category No.	I I I I I I I I I I I I I I I I I I I	C Applicable Reasons - See Step 3 Above
Auto (22)	□ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Uninsured Motorist (46)	□ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Ashartas (0.4)	□ A6070 Asbestos Property Damage	1, 11
Asbestos (04)	□ A7221 Asbestos - Personal Injury/Wrongful Death	1, 11
Product Liability (24)	□ A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
has the had been sales at 4.50	☐ A7210 Medical Malpractice - Physicians & Surgeons	1, 4, 11
Medical Malpractice (45)	□ A7240 Other Professional Health Care Malpractice	1, 4, 11
Other Removal	☐ A7250 Premises Liability (e.g., slip and fall)	1, 4, 11
Other Personal Injury Property	☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1, 4, 11
Damage Wrongful Death (23)	□ A7270 Intentional Infliction of Emotional Distress	1, 4, 11
	□ A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11

Auto Tort

Other Personal Injury/ Property Damage/ Wrongful Death Tort SHORT TITLE:

Ramirez v. Airport Terminal Services, Inc., et al

CASE NUMBER

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above		
Business Tort (07)	□ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3		
Civil Rights (08)	□ A6005 Civil Rights/Discrimination	1, 2, 3		
Defamation (13)	☐ A6010 Defamation (slander/libel)	1, 2, 3		
Fraud (16)	☐ A6013 Fraud (no contract)	1, 2, 3		
Professional Negligence (25)	□ A6017 Legal Malpractice □ A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3		
Other (35)   A6025 Other Non-Personal Injury/Property Damage tort		1, 2, 3		
Wrongful Termination (36)	☐ A6037 Wrongful Termination	1, 2, 0		
Other Employment (15)	□ A6024 Other Employment Complaint Case □ A6109 Labor Commissioner Appeals	1, 2, 3 10		
Breach of Contract/ Warranty (06) (not insurance)	(06) A6008 Contract/Warranty Breach - Seller Plaintiff (no fraud/negligence)  (not insurance)			
Collections (09)	<ul> <li>□ A6002 Collections Case-Seller Plaintiff</li> <li>□ A6012 Other Promissory Note/Collections Case</li> <li>□ A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)</li> </ul>	5, 6, 11 5, 11 5, 6, 11		
Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1, 2, 5, 8		
Other Contract (37)	<ul> <li>□ A6009 Contractual Fraud</li> <li>□ A6031 Tortious Interference</li> <li>□ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)</li> </ul>	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9		
Eminent Domain/Inverse Condemnation (14)	□ A7300 Eminent Domain/Condemnation Number of parcels	2, 6		
Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2, 6		
Other Real Property (26)	□ A6018 Mortgage Foreclosure □ A6032 Quiet Title □ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6		
Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11		
Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11		
Unlawful Detainer- Post-Foreclosure (34)	□ A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11		
Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2, 6, 11		
	Civil Case Cover Sheet Category No.:  Business Tort (07)  Civil Rights (08)  Defamation (13)  Fraud (16)  Professional Negligence (25)  Other (35)  Wrongful Termination (36)  Other Employment (15)  Breach of Contract/ Warranty (06)  (not insurance)  Collections (09)  Insurance Coverage (18)  Other Contract (37)  Eminent Domain/Inverse Condemnation (14)  Wrongful Eviction (33)  Other Real Property (26)  Unlawful Detainer-Commercial (31)  Unlawful Detainer-Residential (32)  Unlawful Detainer-Post-Foreclosure (34)	Civil Case Cover Sheet   Check only one)		

CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION

SHORT TITLE:
Ramirez v. Airport Terminal Services, Inc., et al

	A Civil Case Cover Sheet Category No.			B Eype of Action (Check only one)	C Applicable Reasons - See Step 3. Above
	Asset Forfeiture (05)	0	A6108	Asset Forfeiture Case	2, 3, 6
M€	Petition re Arbitration (11)		A6115	Petition to Compel/Confirm/Vacate Arbitration	2, 5
Judicial Review	Writ of Mandate (02)	0	A6152	Writ - Administrative Mandamus Writ - Mandamus on Limited Court Case Matter Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)		A6150	Other Writ /Judicial Review	2, 8
Ę	Antitrust/Trade Regulation (03)		A6003	Antitrust/Trade Regulation	1, 2, 8
tigatic	Construction Defect (10)		A6007	Construction Defect	1, 2, 3
plex Li	Claims Involving Mass Tort (40)			1, 2, 8	
y Com	Securities Litigation (28)   A6035 Securities Litigation Case		1, 2, 8		
Provisionally Complex Litigation	Toxic Tort Environmental (30)		1, 2, 3, 8		
Provi	Insurance Coverage Claims from Complex Case (41)		A6014	Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
	Enforcement of Judgment (20)		A6141	Sister State Judgment	2, 5, 11
<b>2</b>			A6160	Abstract of Judgment	2, 6
Enforcement of Judgment			A6107	Confession of Judgment (non-domestic relations)	2, 9
orce			A6140	Administrative Agency Award (not unpaid taxes)	2, 8
of.			A6114	Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
			A6112	Other Enforcement of Judgment Case	2, 8, 9
្គ ន	RICO (27)		A6033	Racketeering (RICO) Case	1, 2, 8
laneous mplaints			A6030	Declaratory Relief Only	1, 2, 8
ellan omp	Other Complaints		A6040	Injunctive Relief Only (not domestic/harassment)	2, 8
Miscella Civil Cor	(Not Specified Above) (42)		A6011	Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
≥ ວິ			A6000	Other Civil Complaint (non-tort/non-complex)	1, 2, 8
	Partnership Corporation Governance (21)	0	A6113	Partnership and Corporate Governance Case	2, 8
			A6121	Civil Harassment	2, 3, 9
sno			A6123	Workplace Harassment	2, 3, 9
Miscellaneous Civil Petitions	Other Politions (Not		A6124	Elder/Dependent Adult Abuse Case	2, 3, 9
cell. ii Pe	Other Petitions (Not Specified Above) (43)		A6190	Election Contest	2
Mis Ci√			A6110	Petition for Change of Name/Change of Gender	2, 7
			A6170	Petition for Relief from Late Claim Law	2, 3, 8
			A6100	Other Civil Petition	2, 9
		ļ			

CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION

SHORT TITLE: Ramirez v. Airport Terminal Services, Inc., et al	CASE NUMBER

Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON:			ADDRESS: 8929 Sepulveda Blvd., Suite 312	
□ 1. □ 2. ☑ 3. □ 4. □ 5. □	6 7 8 9. (	⊐ <b>10</b> . □ 11.		
CITY:	STATE:	ZIP CODE:		
Los Angeles	CA	90045		
ep 5: Certification of A			case is properly filed in the Southwest ngeles [Code Civ. Proc., §392 et seq., and Loca	

Step 5: Certification of Assignmen	t: I certify that this case is properly filed in the	Southwest District of
the Superior Court of Califorr	ia, County of Los Angeles [Code Civ. Proc., §	392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: September 9, 2022			/s/ John F. Litwin			
			 	-(SIGNATURE OF ATTORNEY/FILING PARTY)		

#### PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY **COMMENCE YOUR NEW COURT CASE:**

- 1. Original Complaint or Petition.
- 2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
- 3. Civil Case Cover Sheet, Judicial Council form CM-010.
- 4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
- 5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
- A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
- 7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Torrance Courthouse 825 Maple Avenue, Torrance, CA 90503	FILED Superior Court of California County of Los Angeles
NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE	09/09/2022 Sherri R. Carter, Executive Officer / Clerk of Coun  By: P. Perez Deputy
Your case is assigned for all purposes to the judicial officer indicated be	case number: 22TRCV00780

#### THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

	ASSIGNED JUDGE	DEPT	ROOM	ASSIGNED JUDGE	DEPT	ROOM
1	Gary Y. Tanaka	В				

Given to the Plaintiff/Cross-Complainant/Attorney of Record Sherri R. Carter, Executive Officer / Clerk of Court on 09/13/2022

By P. Perez , Deputy Clerk (Date)

#### INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

#### <u>APPLICATION</u>

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

#### PRIORITY OVER OTHER RULES

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

#### **CHALLENGE TO ASSIGNED JUDGE**

A challenge under Code of Civil Procedure Section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

#### TIME STANDARDS

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

#### COMPLAINTS

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

#### CROSS-COMPLAINTS

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

#### STATUS CONFERENCE

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

#### FINAL STATUS CONFERENCE

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

#### SANCTIONS 1 1 2 1

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.

#### **Class Actions**

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

#### \*Provisionally Complex Cases

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.





## Superior Court of California, County of Los Angeles

## ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE

THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.

CROSS-COMPLAINANTS must serve this ADR Information Package on any new parties named to the action with the cross-complaint.

#### What is ADR?

ADR helps people find solutions to their legal disputes without going to trial. The main types of ADR are negotiation, mediation, arbitration, and settlement conferences. When ADR is done by phone, videoconference or computer, it may be called Online Dispute Resolution (ODR). These alternatives to litigation and trial are described below.

#### Advantages of ADR

- Saves Time: ADR is faster than going to trial.
- Saves Money: Parties can save on court costs, attorney's fees, and witness fees.
- Keeps Control (with the parties): Parties choose their ADR process and provider for voluntary ADR.
- Reduces Stress/Protects Privacy: ADR is done outside the courtroom, in private offices, by phone or online.

#### Disadvantages of ADR

- Costs: If the parties do not resolve their dispute, they may have to pay for ADR and litigation and trial.
- No Public Trial: ADR does not provide a public trial or a decision by a judge or jury.

#### Main Types of ADR:

- 1. Negotiation: Parties often talk with each other in person, or by phone or online about resolving their case with a settlement agreement instead of a trial. If the parties have lawyers, they will negotiate for their clients.
- 2. Mediation: In mediation, a neutral mediator listens to each person's concerns, helps them evaluate the strengths and weaknesses of their case, and works with them to try to create a settlement agreement that is acceptable to all. Mediators do not decide the outcome. Parties may go to trial if they decide not to settle.

#### Mediation may be appropriate when the parties

- want to work out a solution but need help from a neutral person.
- have communication problems or strong emotions that interfere with resolution.

#### Mediation may not be appropriate when the parties

- want a public trial and want a judge or jury to decide the outcome.
- lack equal bargaining power or have a history of physical/emotional abuse.

#### How to arrange mediation in Los Angeles County

Mediation for civil cases is voluntary and parties may select any mediator they wish. Options include:

a. The Civil Mediation Vendor Resource List

If all parties agree to mediation, they may contact these organizations to request a "Resource List Mediation" for mediation at reduced cost or no cost (for selected cases):

- ADR Services, Inc. Case Manager patricia@adrservices.com (310) 201-0010 (Ext. 261)
- JAMS, Inc. Senior Case Manager mbinder@jamsadr.com (310) 309-6204
- Mediation Center of Los Angeles (MCLA) Program Manager info@mediationLA.org (833) 476-9145
  - Only MCLA provides mediation in person, by phone and by videoconference.

These organizations cannot accept every case and they may decline cases at their discretion.

Visit www.lacourt.org/ADR.Res.List for important information and FAQs before contacting them. NOTE: This program does not accept family law, probate, or small claims cases.

b. Los Angeles County Dispute Resolution Programs

https://wdacs.lacounty.gov/programs/drp/

- Small claims, unlawful detainers (evictions) and, at the Spring Street Courthouse, limited civil:
  - Free, day- of- trial mediations at the courthouse. No appointment needed.
  - o Free or low-cost mediations before the day of trial.
  - For free or low-cost Online Dispute Resolution (ODR) by phone or computer before the day of trial visit http://www.lacourt.org/division/smallclaims/pdf/OnlineDisputeResolutionFlyer-EngSpan.pdf
- c. Mediators and ADR and Bar organizations that provide mediation may be found on the internet.
- 3. Arbitration: Arbitration is less formal than trial, but like trial, the parties present evidence and arguments to the person who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision. For more information about arbitration, visit <a href="http://www.courts.ca.gov/programs-adr.htm">http://www.courts.ca.gov/programs-adr.htm</a>
- 4. Mandatory Settlement Conferences (MSC): MSCs are ordered by the Court and are often held close to the trial date or on the day of trial. The parties and their attorneys meet with a judge or settlement officer who does not make a decision but assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For information about the Court's MSC programs for civil cases, visit http://www.lacourt.org/division/civil/Cl0047.aspx

Los Angeles Superior Court ADR website: http://www.lacourt.org/division/civil/Cl0109.aspx For general information and videos about ADR, visit http://www.courts.ca.gov/programs-adr.htm